

DAPHNE E. BARBEE 2911
 Attorney & Counselor at Law
 Century Square, Suite 1909
 1188 Bishop Street
 Honolulu, Hawaii 96813
 Telephone: (808) 533-0275

Attorney for Plaintiff

ORIGINAL

FILED IN THE
 UNITED STATES DISTRICT COURT
 DISTRICT OF HAWAII

JUN 28 2006

at 1 o'clock and 45 min. b M
 SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
 DISTRICT OF HAWAII

RAYMOND WARE,	)	CIVIL NO. 04-00671 HG/LEK
)	
Plaintiff,	)	PLAINTIFF'S MOTION TO
	)	CONTINUE HEARING DATE ON
vs.	)	DEFENDANTS
SIDNEY HAYAKAWA, Director of	)	MOTION FOR SUMMARY
Transportation Security	)	JUDGMENT; DECLARATION OF
Administration - Honolulu, KEN	)	COUNSEL; EXHIBITS "1-5";
KAMAHELE, Deputy Director,	)	CERTIFICATE OF SERVICE
Transportation Security)	
Administration-Honolulu;)	
TRANSPORTATION SECURITY)	
ADMINISTRATION; THOMAS J.	)	DATE:
RIDGE, Secretary, Department of)	
Homeland Security, DEPARTMENT	)	TIME:
OF HOMELAND SECURITY;)	
JOHN DOES 2-5,	)	JUDGE: HELEN GILMOR
)	
Defendants.	)	TW: 11-14-06

PLAINTIFF'S MOTION TO CONTINUE HEARING DATE ON
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Comes now Plaintiff RAYMOND E. WARE, by and through his attorney

Daphne E. Barbee, and requests this Honorable Court grant a continuance of the hearing on Defendant s Motion for Summary Judgment which is presently scheduled for July 31, 2006 at 9:45 a.m. to a date after complete discovery is received and after there is a ruling on the Ninth Circuit Appeal regarding full disclosure of the recertification test results for Plaintiff.

This Motion is made pursuant to Rule 56 (f) Federal Rules of Civil Procedure and is based upon the attached Declaration of Counsel, and Exhibits 1-5 and such further matters as may be presented at the hearing on this Motion.

DATED: HONOLULU, HAWAII 6-28-06.

D.E.B.
DAPHNE E. BARBEE
ATTORNEY FOR PLAINTIFF